

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARLOS FELIX GARCIA,

Plaintiff,

v.

NATIONAL GENERAL INSURANCE
COMPANY, et al.,

Defendants.

Case No. 24-cv-04037-VC

**ORDER DENYING MOTION TO
REMAND**

Re: Dkt. No. 9

The motion to remand is denied. A removing defendant is not required to provide evidentiary proof in their notice of removal. *Cf. Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 87 (2014). And Garcia does not dispute defendants' showing in their opposition that they are not domiciled in California. As to Garcia's argument that defendants are California citizens under 28 U.S.C. § 1332(c)(1), "suits by insureds against *their own* out-of-state insurers are not 'direct actions' such as to defeat diversity jurisdiction pursuant to" that statute. *Basel v. Allstate Insurance Co.*, 757 F. Supp. 39, 40 (N.D. Cal. 1991). Therefore, diversity jurisdiction exists between Garcia and the defendant insurance companies.

IT IS SO ORDERED.

Dated: September 9, 2024



VINCE CHHABRIA
United States District Judge